

FILED

DEC - 1 2021

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. S1-4:21-CR-00593-JAR-SPM
)	
BRUCE FRANKLIN,)	
)	
Defendant.)	

MOTION FOR PRETRIAL DETENTION

The United States of America, by and through its Attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Jason Dunkel, Assistant United States Attorney for said District, moves the Court to order Defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of Defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq. As and for its grounds, the United States of America states as follows:

Defendant's Conduct and Background

Defendant is charged with committing five Hobbs Act robberies during which he possessed and brandished a firearm. As a result, he is not only charged with the underlying robberies, but also with five violations of Title 18, United States Code, Section 924(c), charges that give rise to the presumption of detention pursuant to Section 3142(e)(3). Defendant is also facing felon in possession of a firearm charges.

Even without the presumption of detention, Defendant should be ordered detained pursuant to Title 18, United States Code, Section 3142. Defendant entered five cellular phone stores and held more than five clerks at gunpoint, demanding cash from the stores. In each robbery, he did

not merely showed he was armed, but actually pointed the firearm at the clerk in each robbery. In three of the five robberies, he had an accomplice. In one of the robberies, he also robbed the clerk of her own firearm. In each case, he successfully left the scene of the robbery with cash from the stores. In total, police believe that Defendant possessed at least three separate firearms during his crime spree.

Defendant committed these offenses while on probation for assault on a law enforcement officer, resisting arrest, and possession of controlled substances. That he possessed multiple firearms and perpetrated multiple robberies while on probation demonstrates his lack of amenability to supervision and his danger to the public even when under supervision.

Section 3142(g) Factors

The Section 3142(g) factors favor detention in this case.

The first factor is met because Defendant's offenses are robberies involving firearms. The nature and circumstances of the offense are inherently dangerous. 18 U.S.C. § 3142(g)(1) (listing "the offense ... involves ... [a] firearm.").

The second factor favors detention because the weight of the evidence is strong: Defendant has confessed to each of the five robberies in an interview with investigating agents from the FBI. 18 U.S.C. § 3142(g)(2). Each robbery was captured on camera and clearly show Defendant brandishing a firearm at each clerk.

The third factor—Defendant's history and characteristics—favors detention because the Defendant's criminal history includes acts of violence and crimes committed while under supervision. 18 U.S.C. § 3142(g)(3).

The fourth factor—Defendant's danger to the community—favors detention because of the serious danger posed by Defendant if he were to be released. 18 U.S.C. § 3142(g)(4).

Defendant's crimes have live witnesses who are expected to testify against Defendant. That he remains armed and dangerous even when under previous court supervision demonstrates that he would remain a danger to the community if released on bond in this case.

Conclusion

Pursuant to Title 18, United States Code, Section 3142(g),

- (a) the nature and circumstances of the offense charged;
- (b) the weight of the evidence against Defendant;
- (c) Defendant's history and characteristics; and
- (d) the nature and seriousness of the danger to any person or the community that would be posed by Defendant's release,

warrant Defendant's detention pending trial. Finally, the charges in this case give rise to a rebuttable presumption pursuant to Title 18, United States Code, Section 3142(e)(3) that there are no conditions or combination of conditions which will reasonably assure the appearance of Defendant as required, and the safety of any other person and the community.

WHEREFORE, as there are no conditions or combination of conditions that will reasonably assure defendant's appearance as required and the safety of any other person and the community, the Government requests this Court to order Defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of Defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING
United States Attorney

/s/ Jason S. Dunkel

JASON DUNKEL, #65886(MO)
Assistant United States Attorney
111 South Tenth Street, 20th Floor
Saint Louis, Missouri 63102
Jason.Dunkel@usdoj.gov
Telephone: (314) 539-2200
Facsimile: (314) 539-3887